

Introduced by Senator Padilla

February 14, 2011

An act to amend Section 113790 of the Health and Safety Code, relating to food safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 303, as introduced, Padilla. Food safety: food handlers.

The California Retail Food Code provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Public Health. Local health agencies are primarily responsible for enforcing this law.

This law generally requires food facilities, except temporary food facilities, to have an owner or employee who has successfully passed an approved and accredited food safety certification examination from an accredited food protection manager certification organization, except as specified. Existing law generally defines a food facility to mean an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level.

Existing law also requires, with specified exceptions, a food handler, as defined, who is hired prior to June 1, 2011, to obtain a food handler card from a food protection manager certification organization, as described. A food handler hired after June 1, 2011, is required to obtain a food handler card within 30 days of his or her date of hire. A food handler must maintain a valid food handler card for the duration of his or her employment as a food handler.

This bill would, for purposes of the above-described food handler requirements, define a food facility to mean a food facility that sells food for human consumption.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 113790 of the Health and Safety Code
2 is amended to read:
3 113790. (a) “Food handler” means an individual who is
4 involved in the preparation, storage, or service of food in a food
5 facility, *as defined in subdivision (b)*, other than an individual
6 holding a valid food safety certificate issued pursuant to Section
7 113947.3 or an individual involved in the preparation, storage, or
8 service of food in a temporary food facility, *as defined in Section*
9 *113930.*
10 (b) *For purposes of the definition of a “food facility” in*
11 *subdivision (a) and in Section 113948, a food facility means a food*
12 *facility, as defined in Section 113789, that sells food for human*
13 *consumption.*

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